

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE:	)	Chapter 11
	)	
Brown's Chicken & Pasta, Inc.,	)	
Debtor	)	Case No. 09-49094
	)	Judge: Jacqueline P. Cox
	)	

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that on Tuesday, January 5<sup>th</sup>, 2009, at the hour of 9:30 a.m., I shall appear before the Honorable Jacqueline Cox, or any judge sitting in her stead, in Courtroom 619 of the United States Courthouse, 219 S. Dearborn Street, Chicago, Illinois and then and there present Debtor's Application to Employ Counsel, which is attached.

Respectfully submitted,

By: /s/ Richard N. Golding  
Attorney for the Debtor

Richard N. Golding, Esq. (ARDC# 0992100)  
Jonathan D. Golding, Esq. (ARDC# 6299876)  
THE GOLDING LAW OFFICES, PC  
500 N. Dearborn Street, 2<sup>nd</sup> Floor  
Chicago, IL 60654  
Tel: (312) 832-7885  
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STATE OF ILLINOIS        )  
                                      )  
COUNTY OF COOK        )

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he caused a copy of the attached Debtor's Application to Employ Counsel with attached proposed order to be filed with the Clerk of the U. S. Bankruptcy Court, Northern District of Illinois, using the CM/ECF filing system on this 30<sup>th</sup> day of December, 2009 and by mailing postage pre-paid with the U. S. Post Office at 500 N. Dearborn Street, Chicago, IL 60654 to:

Absolute Vision Productions  
1785 W. Cortland Court  
Addison, IL 60101

American Express  
2965 W. CORPORATE LAKES BLVD  
Weston, FL 33331-3626

ANDREAS VLAHOS  
1107 JONATHAN DR  
INVERNESS, IL 60010

BONNIE L. KENNEFICK  
50 W. LESLIE LANE  
Villa Park, IL 60181

CATALYST CONSTRUCTION GROUP  
2514 W. ARMITAGE SUITE 208  
Chicago, IL 60647

Cook County Treasurer  
118 N. Clark St., Suite 112  
Chicago, IL 60602

DIVINCENZO SCHOENFIELD  
SWARTZMAN  
33 NORTH LASALLE  
29TH FLOOR  
CHICAGO, IL 60602

GONNELLA BAKING CO.  
2758 EAGLE WAY  
Chicago, IL 60678-1027

Illinois Department of Revenue  
Retailers Occupation Tax  
Springfield, IL 62796

J. Kennefick Consulting, Inc.  
27 Briarwood Lane  
Indianhead Park, IL 60525

Mt. Prospect Plaza LLC  
c/o New Plan MP Mgmt. Co., Inc.  
420 Lexington Ave., 7th Flr.  
New York, NY 10170

REINHART FOODSERVICE, LLC.  
251 CENTRAL AVENUE  
UNIVERSITY PARK, IL 60466

SCHMIDT, SALZMAN & MORAN, LTD.  
111 WEST WASHINGTON SUITE 1300  
Chicago, IL 60602

STEVE ERBY  
6455 S. ARTESIAN  
Chicago, IL 60629

Thomas Kennefick  
50 W. Leslie Lane  
Villa Park, IL 60181

Valassis Direct Mail, Inc.  
One Targeting Centre  
Windsor, CT 06095

VALPAK OF CHICAGO SOUTH  
5101 W. 159TH ST.  
Oak Forest, IL 60452

WISHING WELL PLAZA C/O Z.  
BRODKIN  
1515 ASTOR ST.,#25-C  
Chicago, IL 60610

By: /s/ Richard N. Golding



Northern District of Illinois. This proceeding is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A) and (N). Venue is proper in this district pursuant to 28 U.S.C. §1408. The statutory predicates for the relief sought herein are §§ 327 and 329 of the Bankruptcy Code and Rules 2014 and 2016 of the Federal Rules of Bankruptcy Procedure.

## **II RELIEF REQUESTED**

4. Debtor desires to employ Richard N. Golding Esq., Jonathan D. Golding Esq. and The Golding Law Offices, P.C., as Debtor's attorneys herein, together with any attorneys employed by said firm, from time to time, as he may select to work with him, upon general retainer. Richard N. Golding is duly admitted to practice in this court and has the experience in matters of this character and is qualified to represent the Debtor herein.

5. Debtor has selected Richard N. Golding and Jonathan D. Golding because (a) they have extensive experience in bankruptcy law and practice and (b) they are familiar with Debtor's business and financial condition. Accordingly, Debtor believes that said attorneys are well qualified to represent the Debtor-in-possession in this case.

6. Debtor is unfamiliar with the law and procedures relating to Chapter 11 of the Code. It is therefore in the Debtor's best interests and the best interests of the Debtor's estate and creditors that it be authorized to retain said attorneys upon a general retainer to represent it in connection with this case.

## **III SERVICES TO BE RENDERED**

7. The Debtor will be requiring its attorneys to perform, among other things, the following services:

- (a) To give Debtor legal advice with respect to Debtor's rights, powers and duties as Debtor-in Possession; and

- (b) To assist Debtor in negotiation and formulation and ultimate confirmation of a plan of reorganization that deals with all creditors, including the preparation and dissemination of the disclosure statement; and
- (c) To examine and investigate claims asserted against the Debtor; and
- (d) To take such actions as may be necessary with reference to the claims asserted against the Debtor; and
- (e) To investigate, advice and inform Debtor about and take action as may be necessary to collect and, in accordance with applicable law, recover or sell for the benefit of the estate, the property of the Debtor; and
- (f) To prepare, on behalf of the Debtor, all necessary and appropriate applications, motions, pleadings, orders, reports and other legal papers as may be necessary or required in connection with this case; and
- (g) To perform all other legal services for the Debtor that may be necessary or appropriate in this case.

8. (a) Debtor has been advised by Richard N. Golding and Jonathan D. Golding that their compensation would be based upon their customary hourly rates applicable to their client's generally and would be an expense of the estate. Prior to filing this case under Chapter 11 of the Code, Debtor paid to The Law Offices of Richard N. Golding, P.C. an advanced payment retainer of \$30,000.00, plus \$1039.00 for the filing fees. Approximately \$8000.00 has been expended pre-petition and applied to those pre-petition services.

(b) The Debtor has further been advised that the firm's hourly customary charges are as follows:

Richard N. Golding \$395.00

Jonathan D. Golding \$250.00

Paralegals \$125.00

#### **IV DISINTERESTEDNESS OF PROFESSIONALS**

9. To the best of the knowledge, information and belief of the Debtor, the aforesaid attorneys and their firm have no connection with the Debtor, the creditors of this estate or any other party in interest or accountants or other professionals. Richard N. Golding and Jonathan D. Golding are not relatives of, nor have been connected with any judge of the bankruptcy court for this district, nor the United States Trustee for this district, that would be prohibited by Rule 5002 of the Federal Rules of Bankruptcy Procedure.

10. The Affidavit of Richard N. Golding as required under Rules 2014 and 5002 of the Federal Rules of Bankruptcy Procedure, is attached hereto and made a part hereof.

#### **V NOTICE**

11. Notice of this application has been given to the parties on the attached service list including the Office of the United States Trustee.

12. No previous request for the relief sought herein has been made to this Court or any other court.

13. A copy of the Debtor' proposed Order is attached hereto.

WHEREFORE, Debtor prays that an order be entered authorizing the employment of Richard N. Golding, Jonathan D. Golding, and The Golding Law Offices, P.C., as counsel to Brown's Chicken & Pasta, Inc. an Illinois corporation to represent it on a general retainer, and granting the Debtor such other and further relief as is just and equitable.

Respectfully submitted,

Brown's Chicken & Pasta, Inc., debtor

By: /s/Toni Portillo,  
Its President

Richard N. Golding, Esq. (ARDC 0992100)  
THE GOLDING LAW OFFICES, PC  
500 N, Dearborn Street, 2<sup>nd</sup> Floor  
Chicago, IL 60654  
Tel: (312) 832-7885  
Fax: (312) 755-5700  
Email: rgolding@goldinglaw.net





2. Affiant further states that he is qualified to act as counsel for said Debtor and Debtor in possession.

3. Affiant had dealings with the Debtor prior to being retained for the purpose of offering financial advice in 2008 and prior to being retained for the purpose of filing the instant Chapter 11 proceeding. He is owed no fees for prior services. He has no relationship as employee, attorney or as a trustee in any bankruptcy case with the Office of the United States Trustee.

4. Affiant has received the sum as \$30,000.00 as and for a retainer as security for fees to be due from Debtor, plus the sum of \$1039.00 for court filing costs.

5. Affiant further states this affidavit is made in accordance with 11 U.S.C. § 327 and Bankruptcy Rule 2014.

FURTHER AFFIANT SAYETH NOT.

Dated: December 29, 2009

/s/

Richard N. Golding

Subscribed and sworn to before  
me this December 29,, 2009

\_\_\_\_\_  
Notary Public

My Commission Expires: